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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,255	04/10/2004	David Todd Nay	SJO920030070US1	1765

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KUNZLER & ASSOCIATES
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SALT LAKE CITY, UT 84111

EXAMINER

GABLER, PHILIP FRANCIS

ART UNIT	PAPER NUMBER
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3637

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/822,255	Applicant(s) NAY ET AL.	
	Examiner Philip Gabler	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6-8,14 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-8,14 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 6-8, 14, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. (US Patent Number 6201690) in view of Gill et al. (US Patent Number 5388032), Krivec (US Patent Number 5549374), and Ku et al. (US Patent Number 6266236). Moore (Figures 2 and 9-13) discloses a computer terminal bracket (23) rack mounted in a computer cabinet (13), said bracket being adjustably movable outward from the cabinet, wherein said bracket is configured to fold into a single horizontal plane, said bracket comprising: a first frame (35) horizontally movable with respect to the cabinet, whereby a distal edge of the first frame of the bracket is extendable outwardly from the computer cabinet; and a second frame (43) composed of two longitudinal frames (viewed as the longitudinal side members of 43) horizontally separated by two lateral frames (the upper and lower portions of 43 joining the longitudinal frames), the longitudinal frames and lateral frames forming a horizontally disposed open rectangle (seen at the front of frame 43) with a first lateral frame connecting only to a proximal end (viewed as the lower side of the longitudinal frames) of each longitudinal frame, a second lateral frame connecting only to a distal end

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(viewed as the upper side of the longitudinal frames) of each longitudinal frame, and the first and second lateral frames not impinging on an open interior of the rectangle, wherein each longitudinal frame's longitudinal dimension is much greater than the longitudinal frame's latitudinal dimension, pivotally joined to the first frame at the distal edge (viewed as A in Exhibit 1) of the first frame, and including springs (see column 4 line 43) viewed as capable of restraining rotation; and a single terminal unit (41, 77, and associated components attached to 43) pivotally mounted to the second frame and comprising a keyboard holder (41) pivotally mounted to the second frame at a distal edge thereof (C), wherein the height of said keyboard holder is adjustable in a vertical direction; a keyboard (83) coupled to said keyboard holder; a display holder (77) pivotally mounted to the second frame at the distal edge thereof capable of allowing for angular adjustment of the keyboard holder and display holder, wherein an angle of said display holder is adjustable with respect to the cabinet and the keyboard holder, and a display (79) coupled to said display holder. Moore does not disclose friction hinges or specifics of his slides. However, it is well known in the art to use a wheel/rail arrangement as well as lubricious materials in slide construction. This is evidenced by Gill, who (Figure 4) discloses a wheel/rail arrangement and Krivec, who (column 3 lines 51-55) discloses the use of the lubricious material polytetrafluoroethylene (which is well known to be capable of a coefficient of friction of less than 0.11) for rails. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a wheel/rail arrangement as well as a lubricious material in the construction of Moore's slides as taught by Gill and Krivec because of the smooth and

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easy sliding action such an arrangement would provide. Further, the use of friction hinges (including the use of springs) is well known as shown by Ku, who (Figures 1, 3, 15, and 23) discloses the use of friction hinges (72, 74) including friction brakes (76, etc.) capable of restraining rotation in a computer system. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use friction hinges in Moore's design as taught by Ku because of the smooth and simple operation such a hinge could provide.

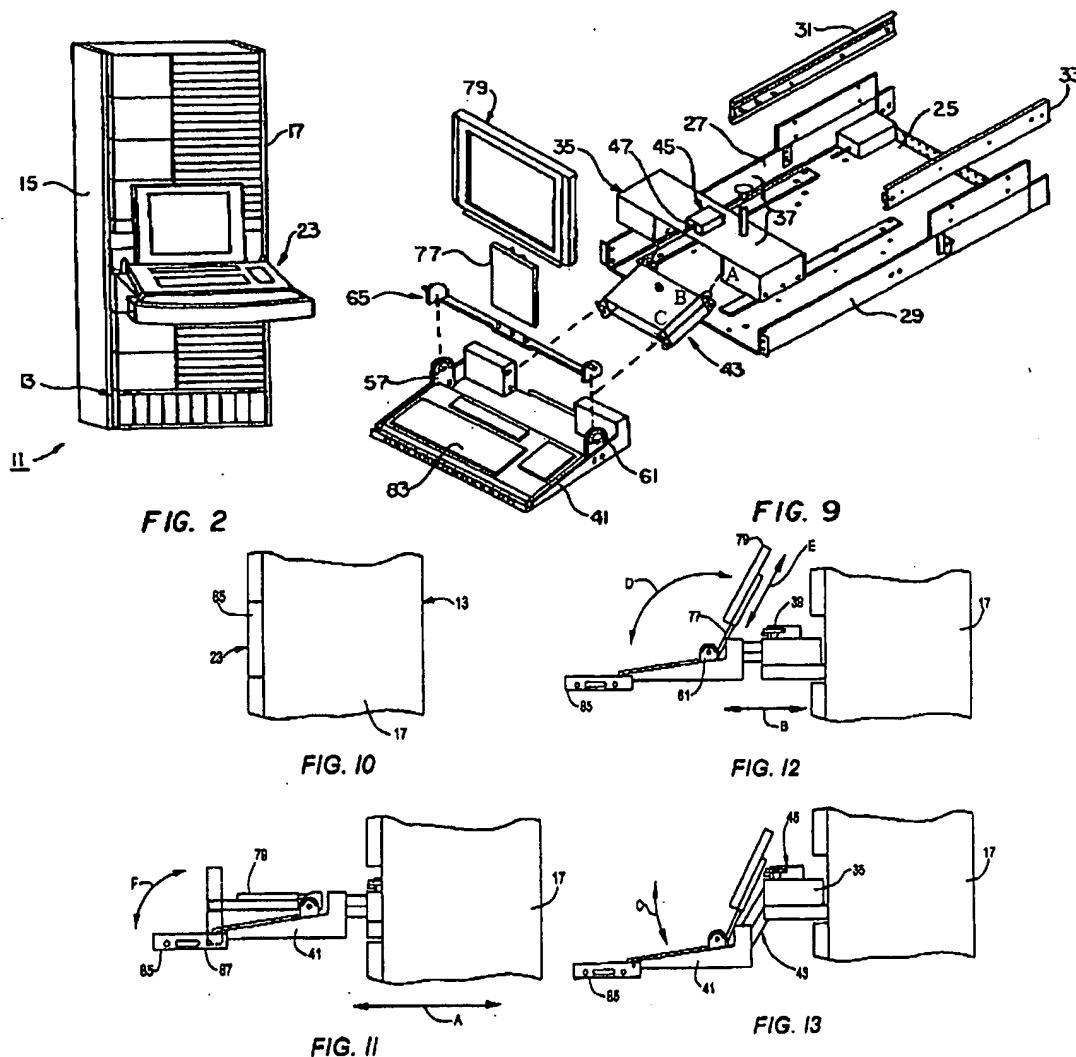


Exhibit 1: Moore '690 Figures 2 and 9-13

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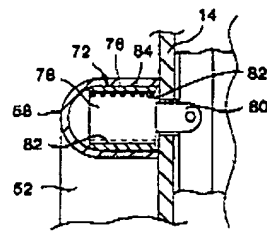
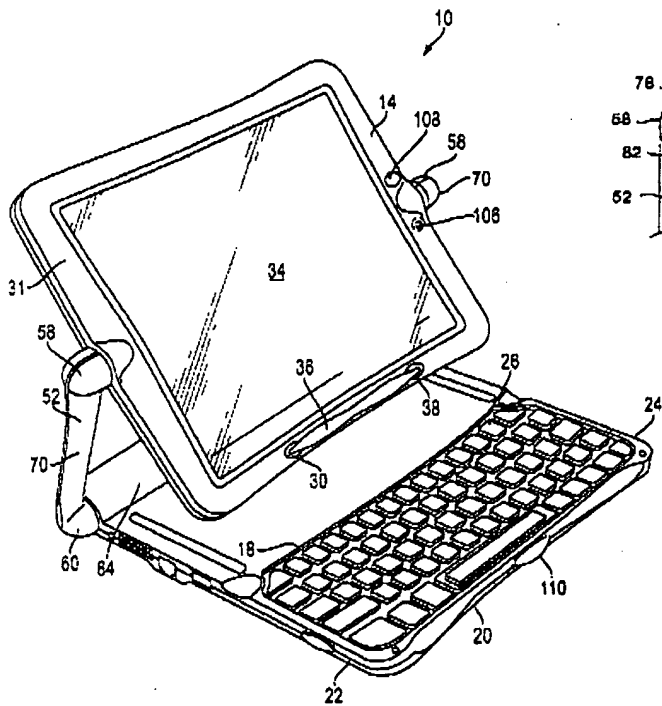


Figure 15

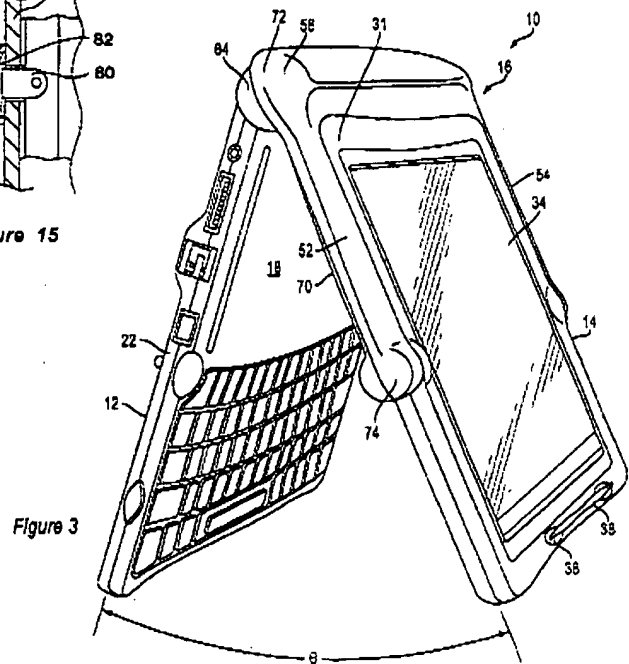


Figure 3

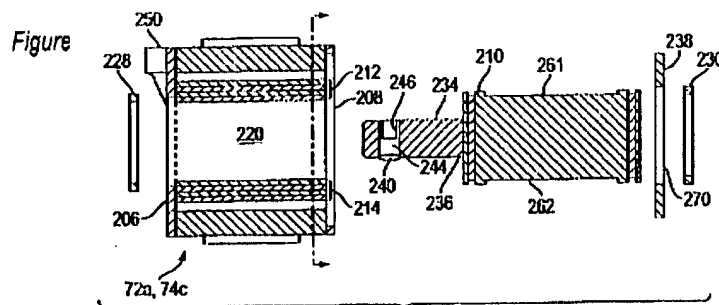
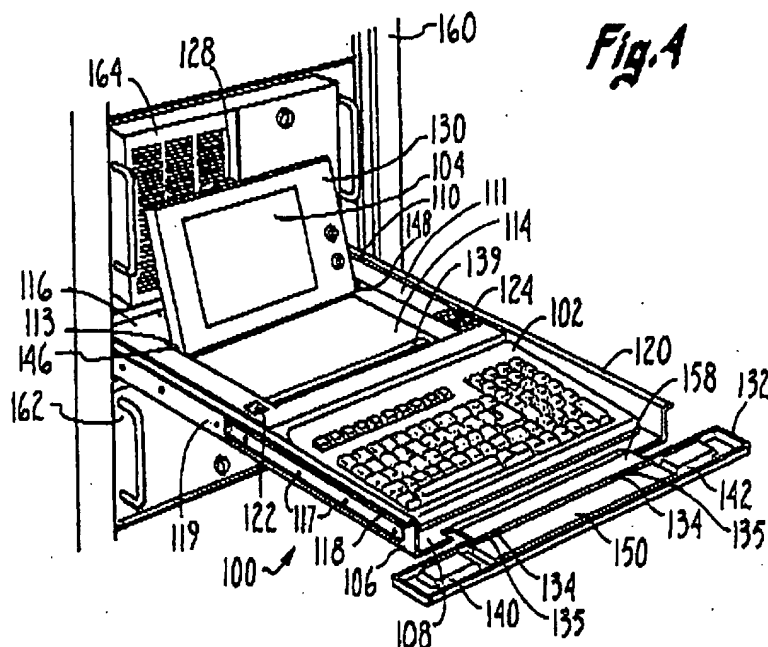


Figure 23

Ku et al. '236 Figures 1, 3, 15, and 23



Gill et al. '032 Figure 4

Response to Arguments

3. Applicant's arguments, see remarks, filed 12 January 2007, with respect to the drawing objections have been fully considered and are persuasive. The objection to the drawings has been withdrawn.
4. The remainder of Applicant's arguments filed 12 January 2007 have been fully considered but they are not persuasive. Moore is viewed as disclosing the additional limitations set forth in the amended claims as explained above. Regarding the combination of Moore, Krivec, and Gill, the motivation to combine the references is a desire for a smoothly sliding and easily operable device, which is considered knowledge available to one of ordinary skill in the art. Even if adequate motivation to combine was not explicitly disclosed by the references, this generally available knowledge of a desire

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to ease sliding action would be sufficient motivation to combine the teachings of the references.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Gabler whose telephone number is (571) 272-6038. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PFG

3/2/2007



JAMES O. HANSEN
PRIMARY EXAMINER